



**DEVELOPMENT
SERVICES
DEPARTMENT**

The City of Morgantown

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March 20, 2014

Beech View Place, LLC.
c/o Thomas Janidas
129 Carriage Hill Drive
Mars, PA 16046

**RE: V14-16 / Beech View Place, LLC. / 331 Beechurst Avenue
Tax Map 19, Parcel 28**

Dear Mr. Janidas,

This letter is to notify you of the decision made by the Board of Zoning Appeals concerning the above referenced variance petition for variance relief from an approved Planned Unit Development Outline Plan relating to signage standards at 331 Beechurst Avenue.

The decision is as follows:

Board of Zoning Appeals, March 19, 2014:

1. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
2. The Board approved variance relief from internal illumination as requested.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days. Any work done relating to decisions rendered by the Board of Zoning Appeals during this thirty-day period is at the sole financial risk of the petitioner.

The above referenced approval is set to expire in twelve (12) months unless you can demonstrate that they have been activated as evidenced by permits, construction, or required licenses. This expiration deadline may be extended to eighteen (18) months upon prior written request of the Board. Please note that building permits must be obtained prior to the commencement of work for which variance relief was granted herein.

Should you have any questions or require further clarification, please contact the undersigned. We look forward to serving your plans review and permitting needs.

Respectfully,

Stacy Hollar
Executive Secretary
Development Services Department
shollar@cityofmorgantownwv.gov

ADDENDUM A – Approved Findings of Fact

V14-16 / Beech View Place, LLC / 331 Beechurst Avenue

Finding of Fact No. 1 – There are exceptional or extraordinary circumstances or conditions applicable to this property or to the intended use, that generally do not apply to other properties or uses in the same vicinity, because:

The zoning classification for the majority of the Beechurst Avenue mixed-use commercial corridor is B-2. Internally illuminated signage is permitted by-right in the B-2 District.

Finding of Fact No. 2 – The variance is necessary for the preservation and enjoyment of a substantial property right that is possessed by other properties in the same vicinity and zoning district, but which denied to this property, because:

There appears to be a number of internally illuminated signs, which are permitted by-right in the B-2 District, within the Beechurst Avenue mixed-used commercial corridor.

Finding of Fact No. 3 – The granting of this variance will not be harmful to the public welfare and will not harm property or improvements in the vicinity and zoning district in which the subject property is located, because:

Because internally illuminated signs exist and are permitted by-right within the B-2 District areas of the Beechurst Avenue corridor, it is not anticipated that internally illuminated signs with the “Beech View Place” development would result in a detriment to public welfare, properties, or improvements within the immediate area.

Finding of Fact No. 4 – The granting of this variance will not alter the land-use characteristics of the vicinity and zoning district, or diminish the market value of adjacent properties, or increase traffic congestion on public streets, because:

Because internally illuminated signs exist and are permitted by-right within the B-2 District areas of the Beechurst Avenue corridor, it is not anticipated that internally illuminated signs with the “Beech View Place” development would diminish the quality, character, or value of the built environment within the immediate area.